

Results of Brief Enforcement Hearings – January 16, 2002
Results of Enforcement Before the Full Commission – January 22, 2002

Brief Enforcement Hearings – January 16, 2002

Note: Brief Enforcement Hearings are heard by a Single Commissioner, normally the Chair of the Commission. Brief enforcement hearings are held when the facts are undisputed, the violations appear to be relatively minor in nature, and a penalty no greater than \$500 will be assessed for the violations. A respondent may appeal the results of a brief enforcement hearing by asking the full Commission to review the findings of the Single Commissioner.

1. **Cathy Wolfe, Thurston County Commissioner**, Case #01-229
Results: The Respondent was found to have violated RCW 42.17.710 and WAC 390-17-400 by accepting a contribution during the 2001 Legislative Session freeze period.
Assessed Penalty: \$250 with \$250 suspended on the condition the Respondent commits no further violations of RCW 42.17 for a period of two years from the date of the order.
2. **Concerned Citizens Action Committee and Richard Stoops, treasurer**, Case #01-187
Results: The Respondent was found to have violated RCW 42.17.040 by failing to timely file a political committee registration (PDC form C-1pc) and 42.17.080 and 42.17.090 by 1) failing to file a post-election abbreviated summary report (PDC form C-4abb) for 2001 campaign activity and 2) by failing to make campaign records available during the public inspection period.
Assessed Penalty: \$100.
3. **Mary Koehler**, Case #02-088
Results: The Respondent was found to have violated RCW 42.17.240 by failing to file a Personal Financial Affairs Statement, PDC form F-1, within two weeks of becoming a candidate in 2001.
Assessed Penalty: \$250.
4. **Juaquin Juarez**, Case #02-086
Results: The Respondent was found to have violated RCW 42.17.240 by failing to file a Personal Financial Affairs Statement, PDC form F-1, within two weeks of becoming a candidate in 2001.
Assessed Penalty: \$200.

Enforcement Hearings Before the Full Commission – January 22, 2002

Reports regarding Citizen Action Complaints:

1. **Rick Luther, Kevin Esping, and Christopher Hurst,** Case #02-272, staff recommendation concerning alleged violation of RCW 42.17.530, false political advertising, during the 2001 City of Black Diamond mayoral campaign.
Results: The investigation revealed insufficient evidence to prove that the advertisement contained false statements of material fact or were undertaken with actual malice. The Commission concluded that no further action is warranted on the complaint.
2. **Black Diamond Citizens for Political Responsibility,** Case #02-273, staff recommendation concerning alleged violation of RCW 42.17.530, false political advertising, during the 2001 City of Black Diamond mayoral campaign.
Results: The investigation revealed insufficient evidence to prove that the advertisements contained false statements of material fact or were undertaken with actual malice. The Commission concluded that no further action is warranted on the complaint.

Hearings:

1. **Geoff Simpson,** Case #01-133
Results: The Commission accepted a Stipulation of Facts and Violations and found that the Respondent committed multiple violations of RCW 42.17.130 by using public resources of the City of Kent Fire Department and the City of SeaTac Fire Department to assist his 2000 campaign for State Representative.
Assessed Penalty: \$2,500 with \$500 suspended on the condition the Respondent commits no further violations of RCW 42.17 for a period of two years.
2. **Kevin Rojecki,** Case #02-277
Results: The Commission accepted a Stipulation of Facts and Violation and found that the Respondent committed a single violation of RCW 42.17.130 by arranging for the use of facilities and equipment of the City of SeaTac Fire Department to assist the 2000 campaign of Geoff Simpson for State Representative.
Assessed Penalty: \$1,000 with \$500 suspended on the condition the Respondent commits no further violations of RCW 42.17 for a period of two years.

3. **John Gallup**, Case #02-278

Results: The Commission accepted a Stipulation of Facts and Violation and found that the Respondent committed a single violation of RCW 42.17.130 by coordinating the use of facilities and equipment of the City of SeaTac Fire Department to assist the 2000 campaign of Geoff Simpson for State Representative.

Assessed Penalty: \$1,000 with \$750 suspended on the condition the Respondent commits no further violations of RCW 42.17 for a period of two years.

4. **Protect our Pets and Wildlife**, Case #01-134, alleged violation of RCW 42.17.080 and 42.17.090 by failing to timely report orders placed and estimated expenditures during its 2000 campaign supporting Initiative 713.

Results: After hearing testimony and reviewing evidence, the Commission directed staff and the Respondent to prepare up to a 10 page brief on the statutory and regulatory issues involved in the case. The hearing was continued to February 26, 2002.

Requests for Review by the Full Commission of Brief Enforcement Hearings

1. **Nextlink Washington, Inc**, Case #02-208, initially found to have violated RCW 42.17.180 by failing to timely file the Employer's Lobbying Expenses Report (PDC form L-3) by February 28, 2001, and assessed a penalty of \$150.

Results: No motion. Initial order becomes a final order.

2. **WA St Drilling & Groundwater Association**, Case #02-250, initially found to have violated RCW 42.17.180 by failing to timely file the Employer's Lobbying Expenses Report (PDC form L-3) by February 28, 2001, and assessed a penalty of \$150.

Results: The Commission vacated the initial order and dismissed the case.

Requests for Reconsideration of Final Orders by the Full Commission

1. **Lawrence Soriano**, Case #02-263, found to have violated RCW 42.17.040, 42.17.080 and 42.17.090 by exceeding the limits of the Mini reporting option and assessed a penalty of \$1,000 with \$500 suspended on the condition the Respondent commits no further violations of RCW 42.17 for four years from the date of the order.

Results: No motion was passed. Final order remains a final order.